IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

On this 19th day of July 2004

IInd Bail application No. 543/2004

Order on the bail application of accused

Criminal Side

Kishan Singh @ actor S/o Padam Singh
R/o village Nigrad, Patti Malli Kutoli
Tehsil and District Nainital --Applicant

Vs.

State of Uttaranchal ---Respondent.

Arising out of crime No. 06/2003
U/Ss 302, 201 I.P.C.
Patti Malli Kutoli
District Nainital.

By the Court

Hon'ble Irshad Hussain, J.

Heard Sri Ajay Singh Bisht, learned counsel for the applicant and Sri Amit Bhatt learned A.G.A. and perused the record.

This is second bail application, the first bail application was rejected on merit. The new ground taken is that the main witness had been examined in the sessions trial and she has not supported the prosecution version. No opinion can be formed at this stage because the trial is in progress and it is expected that the same may be decided very soon. In view of it the second bail application is dismissed.

The learned Sessions Judge is directed to decide the sessions trial on merit at the earliest, preferable, within a period of two months from the date of receipt of copy of the order.

(Irshad Hussain, J.)

Dt: 19-07.2004

ISB